

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Song
Serial No.: 10/770,893
Filed: February 3, 2004
Group Art Unit: 1742
Examiner: Morillo, Janell Combs
Title: CASTABLE HIGH TEMPERATURE ALUMINUM ALLOY

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

RESPONSE

Dear Sir:

This paper is responsive to the non-final Office Action of September 17, 2008. Please reconsider the rejections based on the following remarks.

REMARKS

Applicant would like to thank the Examiner for the detailed remarks. Claims 1-16 and 26-29 are pending in the application.

Claims 1-4, 10-13, and 26-29 were rejected under §103(a) as being unpatentable over Watson. The Examiner argues that Watson discloses the chemical elements of the claimed composition and that Watson suggests that certain chemical elements are equivalents that can be substituted for other chemical elements to achieve the claimed composition. Respectfully, Appellant disagrees because Watson does not suggest that the chemical elements are equivalents as the Examiner argues.

In general, Watson discloses an aluminum alloy having dispersed particles for strength. The particles are a compound of aluminum and an alloying element, referred to in Watson as a L1₂ forming element. The Examiner asserts that Watson discloses a preferred composition having scandium as a L1₂ forming element. Watson also discloses other L1₂ forming elements, including erbium and ytterbium.